

REMARKS

Claims 1-13 and 16 are pending. The Examiner's reconsideration of the rejections is respectfully requested in view of the amendments and remarks.

Claims 1-16 have been objected to under 35 USC 102(e) as being anticipated by Shamoto et al. (U.S. Patent No. 6,690,322). The Examiner stated essentially that Shamoto teaches every limitation of claims 1-16.

Claim 1 claims, *inter alia*, "a first wireless mobile station; and a second wireless mobile station coupled with the first wireless mobile station through a wireless communication network, wherein the second wireless mobile station transmits location information to the first wireless mobile station in response to a request of the first wireless mobile station." Claim 9 claims, *inter alia*, "requesting location information from the second wireless mobile station; receiving at the first wireless mobile station the location information from the second wireless mobile station; estimating a distance between the first wireless mobile station and the second wireless mobile station; and determining a location from the received location information and the estimated distance." Claim 16 claims, *inter alia*, "receiving a location information request from the first wireless mobile station; reading location information stored in the memory of the second wireless mobile station; and transmitting the read location information to the first wireless mobile station."

Shamoto teaches a position of a cellular phone can be determined based only on the GPS satellite information in the location information server (see col. 8, lines 45-50), and based on both the GPS satellite information and the CDMA base station information (see col. 6, lines 52-60). The CDMA base stations of Shamoto are coupled to a base station controller and a CDMA telephone network (see Figure 1). Shamoto does not teach "the second wireless mobile station

transmits location information to the first wireless mobile station in response to a request of the first wireless mobile station” as claimed in claim 1, “receiving at the first wireless mobile station the location information from the second wireless mobile station” as claimed in claim 9 or “receiving a location information request from the first wireless mobile station; reading location information stored in the memory of the second wireless mobile station; and transmitting the read location information to the first wireless mobile station” as claimed in claim 16. Shamoto teaches a location determined using CDMA base stations. Shamoto does not teach that the CDMA base stations are mobile base stations. Thus, Shamoto fails to teach a wireless mobile station transmitting location information to another wireless mobile station, essentially as claimed in claims 1 and 16, or a wireless mobile station receiving location information from another wireless mobile station, essentially as claimed in claim 9. Accordingly, claims 1, 9 and 16 are believed to be in condition for allowance.

Claims 2-8 depend from claim 1. Claims 10-13 depend from claim 9. Claims 14 and 15 have been cancelled. The dependent claims are believed to be allowable for at least the reasons given for claims 1 and 9. At least claims 4 and 13 are believed to be allowable for additional reasons.

Referring to claims 4 and 13, the Examiner has taken Official Notice that the signal transmitted and received between the wireless base station and the wireless mobile station satisfies IEEE 802.11 specification is notoriously well known in the art in order to establish and manage communications.

Applicants respectfully challenge the finding of Official Notice as it applies to claims 4 and 13.

Referring to claim 4; Applicants believe that the Official Notice does not encompass “a

request for the location information is specified in a frame control of a frame header or a medium access control (MAC) frame body header of a frame body of a packet transmitted between the first wireless mobile station and the second wireless mobile station” as claimed in claim 4. The IEEE 802.11 specification is not believed to be well known for teaching portions of a packet for including requests for location information.

Referring to claim 13; Applicants believe that Official Notice does not encompass, a signal satisfying IEEE 802.11 specification and used in estimating the distance between the first wireless mobile station and the second wireless mobile station, essentially as claimed in claim 13. The IEEE 802.11 specification is not believed to be well known for determining distances between mobile stations.

Therefore, if the Examiner is relying on personal knowledge to support the finding of what is known in the art, the Examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding. Such an affidavit is respectfully requested in connection with claims 4 and 13.


The Examiner’s reconsideration of the rejection is respectfully requested.

Claim 16 has been rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements.

Claim 16 claims, “the second wireless mobile station being provided with a memory storing location information.” Claim 16 has been amended to clarify the location of the memory, wherein a second mobile base station having a memory storing location information transmits the location information to a first wireless mobile station. Claim 16 is believed to satisfy the requirements of 35 U.S.C. 112, second paragraph. The Examiner’s reconsideration of the rejection is respectfully requested.

For the forgoing reasons, the present application, including claims 1-13 and 16, is believed to be in condition for allowance. The Examiner's early and favorable action is respectfully urged.

Respectfully submitted,


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